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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,901	06/28/2006	Gerrit Hollemans	NL040020US1	1985

24737 7590 10/21/2010
PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

HUR, ECE

ART UNIT	PAPER NUMBER
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2172

MAIL DATE	DELIVERY MODE
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10/21/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/596,901	Applicant(s) HOLLEMANS ET AL.	
	Examiner ECE HUR	Art Unit 2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-10,14-16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-10,14-16 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2009 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>07/06/2010</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to application filed on August 11, 2010 in which Claims 1, 2, 4-10, 14-16, 18 are pending.

Status of Claims

Claims 1, 2, 4-10, 14-16, 18 are pending in the case. Claims 1, 14, 18 are independent Claims.

Claims 1, 2, 4-10, 14-16, 18 are rejected under 35 U.S.C. 103(a).

Response to Arguments

Applicant's arguments filed August 11, 2010 have been fully considered. See rejection for details. Applicant argued:

- 1) Applicant argues about the amended Claims. See rejection for details.
- 2) In response to applicant's argument that there is no teaching, suggestion, or motivation to combine the references, the examiner recognizes that obviousness may be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), *In re Jones*, 958 F.2d 347, 21 USPQ2d

1941 (Fed. Cir. 1992), and *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 2, 4-10, 14-16, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable by Shalit et al., US 5,714,971 in view of Freeze, Internet Explorer 5, 1999.

Regarding Claim 1, Shalit discloses the claimed aspect of *a system having a graphical user interface for navigating through content, the system comprising a display having: a history panel wherein navigation history data is displayed, and at least a first panel displaying a first menu of a content structure, the first menu comprising one or more selectable items* in FIG. 2D, FIG. 8, wherein the ability of navigation through content structure is illustrated. (Shalit, FIG. 2D, Column 1, lines 49-51, Abstract, Column 9, lines 19-20, FIG. 8, Navigation history).

Shalit does not specifically teach the claimed aspect of the *navigation history data provides a reference for at least one of a number of selections in accordance with a plurality of criteria*, however Freeze discloses the claimed aspect in FIG. 3.5, wherein a navigation history panel is illustrated with plurality of criteria to display the selected items. (Freeze, Page 30).

It would be obvious to one of ordinary skill in the art at the time of the invention to display navigation history by plurality of criteria Shalit's navigation history panel, because this would allow the user to filter certain items that the user needs.

Shalit does not specifically disclose the claimed aspect of *there exists at least one route for navigating through said content to arrive at said at least the first panel*, however Freeze discloses the claimed aspect in FIG. 3.5, wherein there are option such as Last Week, Monday, Tuesday, Today and user navigates from Today to content listing and the user selects a specific content from the listing. It would be obvious to one of ordinary skill in the art at the time of the invention to add this feature to Shalit's

first panel because this would allow the user to view the information within same panel depending on user's preferences.

Regarding Claim 2, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Shalit discloses the claimed aspect of the system according to claim 1, further comprising at least a second panel for displaying a first sub-menu of a currently highlighted item of the first menu in FIG. 2D, wherein a second panel is illustrated.

Regarding Claim 4, most of the limitations have been met in the rejection of Claims 2 or 3. See the rejection of Claims 2 or 3 for details. Shalit discloses the claimed aspect of the first menu in the first panel is replaced with the sub-menu of the second panel upon selection of an item in the first panel in FIG. 2D, wherein first panel has an item from the second panel, ARM Support.

Regarding Claim 5, most of the limitations have been met in the rejection of Claim 4. See the rejection of Claim 4 for details. Shalit discloses the claimed aspect of the sub-menu in the second panel is replaced with a sub-menu of a currently highlighted item of the first sub-menu, in FIG. 2D, wherein ARM Support is selected in the first panel, and second panel display ARM Support with sub menu.

Regarding Claim 6, most of the limitations have been met in the rejection of any preceding Claims. See the rejection of preceding Claims for details. Shalit discloses the claimed aspect of the navigation history data comprises a reference to previously selected menu(s) in FIG. 9E, wherein ARM Support and Level-1 is illustrated.

Regarding Claim 7, most of the limitations have been met in the rejection of any preceding Claims. See the rejection of preceding Claims for details. Shalit discloses the claimed aspect of navigation history data is displayed as pictograms in FIG. 9E, wherein icons are illustrated next to the items in the first panel.

Regarding Claim 8, most of the limitations have been met in the rejection of any preceding Claims. See the rejection of preceding Claims for details. Shalit discloses the claimed aspect of one or more layered panels show the navigation history in FIG. 9E, wherein navigation history is illustrated.

Regarding Claims 9 and 10, most of the limitations have been met in the rejection of any preceding Claims. See the rejection of preceding Claims for details. Shalit discloses the claimed aspect of the content structure includes a main menu starting point, the navigation history data includes navigation history data starting from the main menu starting point in FIG. 9E, wherein Leibniz is the main menu.

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Regarding Claim 14, the rejection for Claims 1-4 apply to Claim 14. See rejection details for Claims 1-4.

Regarding Claim 15, most of the limitations have been met in the rejection of Claim 14. See the rejection of Claim 14 for details. The rejection for Claims 3 and 4 apply to Claim 15. See rejection details for Claims 3 and 4.

Regarding Claim 16, most of the limitations have been met in the rejection of Claim 15. See the rejection of Claim 15 for details. Shalit discloses the claimed aspect of the selection of an active element causes the navigation to revert to the selected data in the navigation history data in FIG. 9E, wherein Level-1 is selected.

Regarding Claim 18, the rejection of Claims 1 and 14 apply substantially to Claim 18. See rejection details for Claims 1 and 14.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1) Holtzblatt et al., US 20010038395, "Method and System for Accessing Information, history panel". Paragraph 0034, navigation panel; the history panel is updated.

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2) Bergsten et al., US 20030001907, "Method and Apparatus For Scrollable Cross-Point Navigation In A User Interface".

3) Minard, US 6,247,020, Navigation pane include selecting of a current node, navigation pane is updated. Column 9, lines 4-12.

4) Wassom, US 7,617,458, "Managing Navigation and History Information", Column 2, lines 30-43.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ECE HUR whose telephone number is (571) 270-1972. The examiner can normally be reached on Mon-Thurs 7:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boris Pesin can be reached on 571-272-4070. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

October 16, 2010

Ece Hur

E.H. /e.h.

/Boris Pesin/

Supervisory Patent Examiner, Art Unit 2172